REMARKS

Claims 1, 3-6, 8-12, and 14-21 are now pending in the application. Claims 20-21 are new and are fully supported by the Application as filed and, as such, no new matter has been added. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 3-6, 8-12, and 14-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Tuli (U.S. Pat. No.6,256,651). This rejection is respectfully traversed.

As best understood by Applicants, with respect to Claim 1, the Examiner admits. that Tuli does not teach that each of the work positions are represented by at least one icon. Each icon corresponds to one or more workers within one of a plurality of groups within an organization that work on one or more of said steps.

Instead, Tuli is directed to management workflow software that includes spreadsheet windows and bar chart windows. The spreadsheet windows include "to-do" items and a timeline. The bar chart windows represent both the "to-do" items and the timeline in a bar chart. Primary users view the bar charts that indicate progress taken by secondary users according to the timeline. The secondary users may view their respective portions of the project in respective windows. However, **Tuli does not show, teach or suggest that the secondary users may be grouped together and that these groups may be represented by icons** as in Claim 1. Representing groups as icons allows management to quickly review progress on a project by clicking on the icons without having to request progress reports from the groups.

For anticipation to be present under 35 U.S.C §102(b), there must be no difference between the claimed invention and the reference disclosure as viewed by one skilled in the field of the invention. *Scripps Clinic & Res. Found. V. Genentech, Inc.*, 18 USPQ.2d 1001 (Fed. Cir. 1991). All of the limitations of the claim must be inherent or expressly disclosed and must be arranged as in the claim. *Constant v. Advanced Micro-Devices, Inc.*, 7 USPQ.2d 1057 (Fed. Cir. 1988).

The icons of Claim 1 provide representations of groups that have tasks to be completed. For example, highlighted icons for incomplete tasks provide both management and workers with a simplified view of the status of a project so that workers and management know where to focus efforts. Further, with the claimed multi-level system, the icons may be used to move between levels. With the tool of Claim 1, a worker may click on a highlighted icon to find out more information relating to why a portion of the project is incomplete. The icons also inform groups when their respective parts of the project should be completed (for example when one group depends on a completed task of another group) without having to ask other groups for this information. Tuli does not include icons, and therefore the Claim and the prior art differ.

Therefore, Claim 1 is allowable for at least these reasons. Claims 8 and 12 are allowable for at least similar reasons as Claim 1. Claims 3-6, 9-11, and 14-19 ultimately depend from Claims 1, 8, and 12 and are allowable for at least similar reasons.

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PAGE 10/14 * RCVD AT 4/15/2008 10:21:00 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/30 * DNIS:2738300 * CSID:248 944 6537 * DURATION (mm-ss):02-44

REJECTION UNDER 35 U.S.C. § 103

Claims 1, 3-6, 8-12, and 14-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tuli (U.S. Pat. No.6,256,651) in view of Ramachandran (U.S. Pat. No. 6,993,712). This rejection is respectfully traversed.

With respect to Claim 1, Tuli and Ramachandran do not include groups within an organization that can be represented by icons. As best understood by Applicants, the Examiner admits that Tuli does not include this element but alleges that it is taught by Ramachandran.

As best understood by Applicants, Ramachandran is directed to management workflow software that includes **applets**, which are not and do not include icons. Unlike icons, applets as in Ramachandran, are sub-programs that run in the context of larger programs. For example, in Ramachandran an applet includes a table that includes: date list boxes, a list box of service regions and employees, and a list box of time zones. Cells within the table may be configured to display data by making use of coloring, shading, etc. Column 6, Lines 13-17 of Ramachandran.

In contrast, an icon, as in Claim 1, corresponds to a **graphic image** displayed on a terminal screen **to represent an object that can be manipulated by a user.** For example, the icons of Claim 1 provide representations of groups that have tasks to be completed. Highlighted icons for incomplete tasks provide both management and workers with a simplified view of the status of a project. Whereas applets are sub-programs used to present a table of data, icons, as in Claim 1, are graphic representations of objects. The objects are not tables of data but instead are pictorial

representations. Further the objects appear highlighted when tasks are incomplete, whereas the applets do not.

It is a longstanding rule that to establish a prima facie case of obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art. *In re Royka*, 180 USPQ 143 (CCPA 1974), see MPEP §2143.03. Obviousness must be determined at the time that the invention was made. 35 U.S.C. §103. The relevant prior art that should be considered is only that which he or she would have selected without the advantage of hindsight or knowledge of the invention. **Union Carbide Corp. v. American Can Co.**, 220 USPQ 584 (Fed. Circ. 1984).

With the tool of Claim 1, a worker may click on a highlighted icon to find out more information relating to why a portion of the project is incomplete. With the applets of Ramachandran, only scheduled and unscheduled activities are displayed. Applets do not highlight incomplete tasks. Therefore, Claim 1 is believed to be allowable for at least the reason that the Claim and the prior art differ.

Further, it is only through hindsight and with the benefit of the Application that one skilled in the art would combine Tuli and Ramachandran as proposed; and therefore Applicants respectfully submit that the combination of Tuli and Ramachandran is improper. For example, the Examiner alleges that:

> [I]t would have been obvious to one having ordinary skill in the art, having the teachings of Tuli and Ramachandran before him at the time the invention was made, to modify the time management workflow of Tuli to include the system for facilitating user interaction in a browser environment, as taught by Ramachandran." Page 4, Paragraph 2 of the Office Action.

This brief explanation falls far short of the type of explicit analysis that is required by the Supreme Court in *KSR Int'l v. Teleflex Inc.*, 550 U.S. ____ (2007). Absent such

an express teaching or suggestion in the references, the explicit analysis and reasoning must be supplied by the Examiner. *Id.* In other words, the Examiner is required to provide explicit reasoning as to why one skilled in the art would be motivated to include icons in the system of Tuli. Here, the Examiner merely notes that it would have been obvious to one having ordinary skill in the art. The Examiner thus fails to provide explicit analysis and reasoning as required.

For example, Tuli merely discloses a spreadsheet window and a bar chart window used by management to keep track of workers' assignments. The Examiner relies on the time management workflow to disclose Applicants' interrelationships between work positions. Each of the work positions are represented by at least one icon. Tuli fails to teach that icons correspond to one or more workers within one of a plurality of groups within an organization that work on one or more of said steps. Tuli also fails to teach interrelationships between work positions.

Ramachandran discloses an applet including a table. Here, the Examiner relies on an applet to disclose Applicants' icons which provide representations of groups that have tasks to be completed. However, **Ramachandran's applets are tailored to schedules for individual employees not groups.** Ramachandran, therefore, teaches away from using icons, which represent groups within an organization, in place of applets. As such, Applicants respectfully submit that there is no suggestion to combine the teachings of Tuli and Ramachandran. More specifically, there is no motivation or suggestion to combine Tuli, which is directed to a spreadsheet window and a bar chart window for management workflow, with Ramachandran, which is directed to an applet containing a table.

Therefore, Claim 1 is allowable for at least these reasons. Claims 8 and 12 are allowable for at least similar reasons as Claim 1. Claims 3-6, 9-11, and 14-19 ultimately depend from Claims 1, 8, and 12 and are allowable for at least similar reasons.
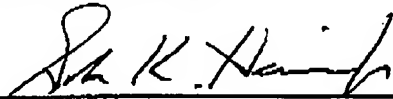
NEW CLAIMS

Claims 20-21 are new and are fully supported by the Application as filed, namely Paragraph [0021] of the Application and therefore no new matter has been added. Claims 20-21 are believed to be allowable for at least similar reasons as the Claims discussed above.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

Respectfully submitted,

Dated: _April 15, 2008_   By: _____

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